

AMENDMENTS TO LB 395

(Amendments to Final Reading copy)

Introduced by Erdman, 47.

1 1. Insert the following new sections:

2 Sec. 16. (1) On and after the operative date of this
3 section, the governing body of any city, village, or county, or
4 the voters of any city, village, or unincorporated area of any
5 county as provided in subsection (2) of this section, may adopt
6 a nonsmoking ordinance or resolution that is less stringent than
7 or more stringent than the Nebraska Clean Indoor Air Act enacted
8 by this legislative bill, except that such ordinance or resolution
9 shall not be less stringent than sections 71-5707 to 71-5709 as
10 such sections existed prior to the operative date of this section.

11 (2) A proposed nonsmoking ordinance or resolution or
12 proposed repeal of an enacted ordinance or resolution may be
13 placed on the ballot for the voters of the city, village, or
14 unincorporated area of the county (a) by a majority vote of the
15 governing body of such city, village, or county, (b) by initiative
16 under sections 18-2501 to 18-2538, or (c) by petition meeting the
17 requirements of and subject to sections 32-628 to 32-630 and signed
18 by at least thirty-five percent of the registered voters residing
19 in the unincorporated area of such county on the day such petitions
20 are filed for verification. The election shall be conducted as
21 provided in sections 32-556 to 32-559.

22 (3) Any ordinance or resolution adopted by the governing

1 body of any city, village, or county under subsection (1) of this
2 section without being submitted to the voters under subsection (2)
3 of this section shall take effect ninety days after its adoption
4 unless, within such ninety-day period, such governing body receives
5 a petition signed by at least thirty-five percent of the registered
6 voters residing in such city, village, or unincorporated area of
7 such county on the date the ordinance or resolution was adopted
8 requesting that such ordinance or resolution be repealed. Upon
9 verification of the signatures on such petition, the ordinance or
10 resolution shall be placed on the ballot.

11 (4) A copy of any ordinance or resolution adopted or
12 repealed by a city, village, or county under this section shall
13 be provided to the Department of Health and Human Services and to
14 the local public health department as defined in section 71-1626 of
15 such city, village, or county.

16 Sec. 19. Sections 16 and 19 of this act become operative
17 on their effective date. The other sections of this act become
18 operative on June 1, 2009.

19 2. On page 5, line 9, strike beginning with "sections"
20 in line 9 through "17" in line 10 and all amendments thereto and
21 insert "sections 15 and 16".

22 3. In AM1736, strike sections 20 and 23.

23 4. Renumber the remaining sections accordingly.